

REMARKS

Claims 39 and 42-55 are allowed, while claims 40 and 41 stand rejected. Claims 40 and 41 have been canceled herein without prejudice to continued prosecution. Thus, claims 39 and 42-55 are pending. In light of these amendments and the remarks below, Applicants respectfully request allowance of claims 39 and 42-55.

Rejections under 35 U.S.C. § 112, second paragraph

Claims 40 and 41 have been rejected under 35 U.S.C. § 112, second paragraph, as allegedly failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicants respectfully disagree. To advance prosecution, however, claims 40 and 41 have been cancelled herein without prejudice. Thus, the rejection of claims 40 and 41 is moot.

Allowable Subject Matter

Applicants thank the Examiner for indicating that claims 39 and 42-55 are allowable over the prior art.

Applicant : James S. Norris et al.
Serial No. : 10/082,973
Filed : February 26, 2002
Page : 6 of 6

Attorney's Docket No.: 14017-0004002 / PSU 1996-
1566

CONCLUSION

Applicants submit that claims 39 and 42-55 are in condition for allowance, which action is respectfully requested. The Examiner is invited to telephone the undersigned attorney, if such contact would advance prosecution of this Application. No fee is believed due. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: October 9, 2009

/Lisbeth C. Robinson/
Lisbeth C. Robinson, Ph.D.
Reg. No. 59,704

Fish & Richardson P.C.
3200 RBC Plaza
60 South Sixth Street
Minneapolis, Minnesota 55402
Telephone: (612) 335-5070
Facsimile: (877) 769-7945